

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK TWAIN GADDIS,

Plaintiff,

v.

Case No. 2:18-cv-13763

District Judge Arthur J. Tarnow

Magistrate Judge Anthony P. Patti

CITY OF DETROIT,
STEPHEN KUE,
JUSTIN MARROQUIN,
WALLACE RICHARDS,
KHARY MASON, and
PATRICK LANE,

Defendants.

**ORDER REGARDING AUGUST 27, 2020 STATUS CONFERENCE AND
AMENDING SCHEDULING ORDER (ECF No. 63)**

A. Background

This is a civil rights case, which stems from the alleged events of June 21, 2017. Discovery was originally due on January 24, 2020. (ECF No. 18.) By way of a stipulated order, the discovery deadline was extended to March 9, 2020. (ECF No. 28.) Following Plaintiff's motion to amend the stipulated scheduling order, the Court entered an order, which, *inter alia*, required discovery motions to be filed no later than March 23, 2020 and further extended the discovery deadline to May 29, 2020. (ECF No. 45, PageID.403.) Thereafter, discovery was extended to July 28, 2020. (ECF No. 63.)

On April 14, 2020, this Court entered a text-only order, which provided, in part: “Accordingly, going forward, no party will file a motion (other than under Rule 56) in this matter without prior leave from the Court, which shall be sought by a one-page letter (to which a one page response may be filed within 2 days), after which the Court will determine whether the motion shall be permitted and, if permitted, provide briefing parameters and page limitations.” On August 30, 2020, the Court entered an order addressing (1) Defendants’ motion to dismiss or, alternatively, compel (ECF No. 46); (2) Defendant City of Detroit’s motion to quash (ECF No. 47); and, (3) Plaintiff’s motion to compel (ECF No. 49). (ECF No. 62.)

B. Instant Matter

Judge Tarnow has referred to me the request for a status conference regarding the request for an extension of discovery. (ECF No. 64.) On August 27, 2020, I conducted an on-the-record, video hearing, at which attorneys Julie H. Hurwitz, William H. Goodman, Allison L. Kriger, Gregory G. Paddison, and Krystal A. Crittendon appeared. (ECF No. 65.) The Court entertained commentary from counsel, after which the Court issued certain rulings from the bench.

C. Order

For the reasons stated on the record, all of which are incorporated by reference as though fully restated herein, on **Tuesday, September 8, 2020, at 2 p.m.**, the parties are required to meet for minimum of 2 hours by video, pursuant to E.D. Mich. LR 7.1, to discuss, via a *meaningful, two-way exchange*, any outstanding discovery that they think the other side owes them. This conference shall be recorded. Only thereafter will the Court accept a discovery-related one-page letter request, as outlined in the April 14, 2020 order. Any motion for non-compliance with the April 30, 2020 order (ECF No. 62) must be prefaced by the procedure set forth on April 14, 2020.

Moreover, to resolve the request for an extension of discovery and other dates in the most recent scheduling order (ECF No. 63):

- The disclosure of expert testimony shall occur in accordance with Fed. R. Civ. P. 26(a)(2)(D) (“*Time to Disclose Expert Testimony.*”)
- Mark Twain Gaddis’s deposition shall take place via video conference, *e.g.*, by Zoom, on **Wednesday, September 23, 2020 at 10 a.m.**
- Detective Patrick Lane’s deposition shall take place via video conference on **Thursday, October 1, 2020 at 10 a.m.**
- Detective Khary Mason’s deposition shall take place via video conference on **Friday, October 9, 2020 at 10 a.m.**

- The two Fed. R. Civ. P. 30(b)(6) depositions of Defendant City of Detroit will take place via video conference on **Wednesday, October 14, 2020 at 10 a.m.** and **Tuesday, October 20, 2020 at 10 a.m.**
- The period within which to *complete* existing, outstanding discovery requests is extended to **Wednesday, October 28, 2020**. To be clear, this is not a general extension of discovery; no additional, non-expert-related discovery requests will be permitted, and the Court will not consider any discovery motion that is based upon requests that were not served prior to the July 28, 2020 close of the general discovery period.
- Dispositive motions shall be due on **Friday, November 27, 2020**.

IT IS SO ORDERED.

Dated: August 28, 2020

s/ *Anthony P. Patti*

Anthony P. Patti

U.S. MAGISTRATE JUDGE